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U.S. BANKRUPTCY COURT
MARY A. SCHOTT, CLERK

PETER SZANTO *775-238-3999*
3870 S. Carson St
Carson City NV 89701

United States Bankruptcy Court in and for the District of Nevada

300 Booth St., Reno NV 89509

Peter Szanto, plaintiff, debtor v. Victor Alexander Szanto, Anthony Szanto defendants	**Adversarial Proceeding** **# 13 –ap-** ________ Core Proceeding # 13 –bk- 51261 btb **Complaint for Damages** ***++ JURY TRIAL IS REQUESTED ++***

ORIGINAL

1. Peter Szanto, plaintiff and debtor, is a natural person over 18 years of age who is seeking relief under Title 11 of the United States Code before this Court.
2. Victor Alexander Szanto and Anthony Szanto, defendants, are control approximately $3,200,000.00 money, property and other assets which either belong to plaintiff, or which are the corpus of various trusts of which plaintiff is a trustee and beneficiary. [hereafter **ASSETS**]
3. Those various ASSETS are enumerated on Schedule B, Line #20 of plaintiffs Chapter 11 filing.
4. **Venue is proper in the District of Nevada, Reno Division, because debtor's ASSETS have been fraudulently transferred to this District by the defendants and used by the defendants to purchase real and personal property in this district. [A partial list of which is attached as EXHIBIT A].**
5. **Venue in this Court is proper because the defendants have used ASSETS to purchase real property in at least 3 counties in this District: Washoe County, Carson City County and Douglas County.**
6. **Venue in ths Court is proper because Victor Szanto is using ASSETS to finance his residence and expenses in Douglas County by using ASSETS to finance an opulent life style in, among other things, a multi-million dollar mansion on the shore of Lake Tahoe as well as matching maroon Bentley Continental coupés for himself and his mistress.**
7. **Venue in ths Court is also proper because Victor Szanto is known to be receiving income from the investment of ASSETS in rental income producing real property in the city of Sparks, Washoe County as well as other investments in real property in Washoe County, Carson City County and Douglas County.**
8. **Venue in ths Court is also proper because Anthony Szanto is known to be receiving income from the investment of ASSETS in rental income producing real property in the cities of Carson City, Carson City County and Gardnerville, Douglas County.**

9. For these reasons, as well as others to be shown by evidence and proof, plaintiff contends that venue is proper in this Court pursuant to law as established in, and promulgated by, United States Code at **28 USC § 1408** --- the venue law in bankruptcy –

because venue in this case under title 11 is proper here because debtor's "principal assets in the United States.... that (are) the subject of (this) case have been located for the one hundred and eighty days immediately preceding (the) commencement" of this action in this District.

PROOF OF THIS FACT IS SHOWN IN EXHIBIT A BY REAL PROPERTY RECORDS OF DEFENDANTS TRANSACTIONS EXTENDING BACK TO AT LEAST THE YEAR 2010.

10. Specifically, debtor contends that ASSETS held by defendants in this district belong to plaintiff, debtor.

11. Defendants continuing concealment of said ASSETS and deprivation from plaintiff's ability freely to access and use his ASSETS, are the reasons plaintiff was forced to seek bankruptcy relief in this District.

12. Victor Alexander Szanto and Anthony Szanto are natural persons over 18 years of age.

13. Victor Alexander Szanto and Anthony Szanto, along with plaintiff are trustees of various family trusts.

14. Victor Alexander Szanto and Anthony Szanto are sued herein both individually and in their capacities as trustees of various Szanto family trusts.

15. The parties are brothers.

16. Victor Alexander Szanto and Anthony Szanto have on-going business activities and residence in this District.

17. Plaintiff has previously submitted to the jurisdiction of this Court in the core bankruptcy proceeding.

18. Victor Alexander Szanto and Anthony Szanto are within the jurisdiction of this Court, because their actions relating to facts which Victor Alexander Szanto and Anthony Szanto fraudulently concealed and assets which Victor Alexander Szanto and Anthony Szanto fraudulently transferred occurred in this District.
19. Since 2008 defendants have engaged in a campaign of deception, concealment, fraudulent transfer, conspiracy and subterfuge so as to transfer ASSETS beyond the reach of California's court such that relief for plaintiff would become impaired or impossible.
20. All conditions precedent to the commencement of this action have occurred.
21. Thereon plaintiff asks for relief as follows.

FIRST CAUSE OF ACTION: IMPOSITION OF CONSTRUCTIVE TRUST

22. Paragraphs 1-20 are restated here.
23. Plaintiff asks this Court immediately to impose a constructive trust as to all real property assets of defendants such that income from said real property inure and be credited to the account of the U.S. Trustee.
24. And that defendants be barred from alienation of any real property without Court approval.

SECOND CAUSE OF ACTION FOR FRAUDULENT CONCEALMENT

25. Paragraphs 1-24 are restated here.
26. Plaintiff contends that the defendants have concealed and suppressed material facts relating to ASSETS.

27. Plaintiff contends that the defendants were and are under a duty to disclose facts relating to ASSETS to the plaintiff, because the parties are all trustees of ASSETS and because certain assets belonging exclusively to plaintiff have become impermissibly, fraudulently and without permission or authority commingled with ASSETS by the intentionally fraudulent and deceptive actions of the defendants.

28. Plaintiff contends that the defendants have intentionally concealed and suppressed material facts relating to ASSETS with the intention to defraud the plaintiff and to make plaintiff's property, expectancies and ASSETS their own.

29. Plaintiff was not completely aware, until recently, of many of the facts herein, and would not have delayed action – if any delay there has been -- to protect his rights and property if he had known of the facts concealed and suppressed by both defendants.

30. As a result of the concealment and suppression of material facts, plaintiff has sustained damages by the loss of possession, acquisition of income from, use and enjoyment of property which belongs to him.

31. Thereon, plaintiff asks this Court to order the return and restoration of plaintiff's assets or the payment of $3,200,000.00 plus interest thereon, in recompense for the misuse and fraudulent use of ASSETS.

THIRD CAUSE OF ACTION FOR FRAUDULENT CONVEYANCE

32. Paragraphs 1-31 are restated here.

33. Plaintiff contends that the defendants have impermissibly conveyed and transferred ASSETS with the intent to hinder, delay and defraud the plaintiff in collection, possession, use, enjoyment and dominion over ASSETS which are rightfully his or over which plaintiff is charged with the duty to exercise trustee powers.

34. Plaintiff contends that any and all conveyance or transfer of ASSETS is void.

35. Plaintiff asks this Court forthwith to establish a further constructive trust over ASSETS so that they may be marshaled under the power of this Court for proper distribution between the parties and plaintiff's creditors.

FOURTH CAUSE OF ACTION FOR FRAUD

36. Paragraphs 1-35 are restated here.

37. From the time that the parties dispute began, defendants have continually promised, personally and through counsel, that they would deliver ASSETS as required by various testamentary agreements.

38. As a matter of fact, defendants and their counsels' representations were false and defendants have still not performed as promised or as required by the parties' various agreements.

39. Plaintiff is informed and believes and thereon alleges that defendants, and each of them, have no intention to perform as promises or as agreed.

40. Plaintiff relied on the representations by defendants and would have perfected this complaint in prosecution of this matter sooner had he been aware of the truth of the facts of fraud, concealment and misrepresentation by the defendants.

41. Plaintiff has been injured by loss of use of the funds and ASSETS, loss of reputation and an inability to continue making payments to other of his creditors.

42. Plaintiff seeks compensatory damages in the amount of $750,000 for defendant's deceptive actions based on expenditures of time and lost opportunity costs in the pursuit of the matters alleged herein.

FIFTH CAUSE OF ACTION FOR CONVERSION and CIVIL THEFT

43. Paragraphs 1-42 are restated here.
44. Under Nevada's Conversion and Civil Theft Act, plaintiff contends that the defendants have knowingly, maliciously and intentionally exercised wrongful dominion and control over ASSETS belonging to plaintiff.
45. Plaintiff alleges that defendants have exerted claims of ownership over ASSETS which at all times they knew to be false and fraudulent.
46. Defendants have falsely exercised rights to ASSETS which belong to plaintiff inconsistent with plaintiff's title.
47. Plaintiff seeks return of ASSETS or compensation therefore .

PETITION for PUNITIVE DAMAGES

48. Paragraphs 1-47 are restated here.
49. Defendants are extremely wealthy men who are engaged in fraudulent acts described herein against defendant, their older brother, because of perceived slights when all the parties were children.
50. As facts will show, there is no limitation, as to any moral or ethical standard of conduct, as to defendants' willingness and willfulness to commit deceptive and fraudulent acts against plaintiff.
51. Here, plaintiff contends that in the present circumstances defendants actions were malicious, fraudulent and oppressive, justifying an award of punitive damages so that defendants will not engage in such deceptive conduct in the future.
52. Plaintiff prays that this Court make an example out of defendants for the bad, fraudulent and deceptive actions they have committed as described herein by an award of damages to further punish the defendants.

53. Likewise, a punitive award will serve as a public demonstration the Court will not tolerate the actions of defendants as described herein, because those actions are contrary and antithetical to American society and social standards and values.

WHEREFORE PLAINTIFF PRAYS that judgment and constructive trusts be entered against defendants.

In addition to the relief above, plaintiff requests:

Costs of this action.
For reasonable attorneys' fees as allowed by law.
For such other and further relief as the court may deem just and proper.

DATED July 29, 2013 ______________________ Peter Szanto

VERIFICATION

I, Peter Szanto am the plaintiff, debtor herein. I have read the foregoing complaint consisting of 8 pages, and the attached materials incorporated herein by reference. If reference is made to balances owing, my testimony regarding same is based upon my business records kept in the ordinary course of business. I am the custodian of such business records. And all matters stated herein are true based on facts I know to be true and of my own personal knowledge.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated July 29, 2013 ______________________ Peter Szanto

Proof of Service By Mail

My name is Alyce Jurgens I am over 18 years of age and not a party to the within action. My business address is 3870 S. Carson St, Carson City NV. On July 29, 2013, I personally placed into envelopes copies of debtor's Notice of Motion and Motion to Extend Automatic Stay in Chapter 11 Proceeding.

I sealed those envelopes and affixed thereon sufficient first class postage to assure delivery and addressed those envelopes as:

1. United States Trustee
300 Booth Street, Room 3009
Reno, NV 92701

2. Chase
P.O. Box 78420
Phoenix AZ 85062

3. Bank of America
P O Box 650225
Dallas, TX 75265

4. Aronowitz & Mecklenburg
Sage Point Lender Services
400 Exchange Suite 110
Irvine, CA 92614

5. Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101

6. Joseph Bistritz
119 Richmond C
Deerfield Beach FL 33442

7. Robert Lewin
33130 Pampa Ct.
Temecula CA 92592

8. Susan Szanto
6141 N. West AV. - # 107
Fresno CA 93711

I then placed said envelopes into the United States mail.
Said mailing was accomplished in Carson City County NV, where I am employed.

I declare under penalty of perjury that the foregoing is true and correct under the laws of the United States of America.

July 29, 2013______________ Alyce Jurgens

		Property Address	City/St	County	Date	Rec/Trans Type
1.	SZANTO ANTHONY	1191 RABE WAY	CARSON CITY NV	CARSON CITY	TAX YR: 2012	
2.	SZANTO ANTHONY & MARIETTE	1191 RABE WAY	CARSON CITY NV	CARSON CITY	TRANS DATE: 08/23/2012	
3.	SZANTO VICTOR	611 VICTORIA CT	GARDNERVILLE NV	DOUGLAS	TRANS DATE: 09/29/2011	
4.	SZANTO VICTOR	611 VICTORIA CT	GARDNERVILLE NV	DOUGLAS	TRANS DATE: 09/30/2011	
5.	SZANTO VICTOR	1355 CORDONE AVE	RENO NV	WASHOE	TAX YR: 2012	
6.	SZANTO VICTOR	1355 CORDONE AVE	RENO NV	WASHOE	TAX YR: 2012	
7.	SZANTO VICTOR	1355 CORDONE AVE	RENO NV	WASHOE	TAX YR: 2012	
8.	SZANTO VICTOR	1355 CORDONE AVE	RENO NV	WASHOE	TAX YR: 2012	
9.	SZANTO VICTOR & EVVE	1147 JACOBS WAY	CARSON CITY NV	CARSON CITY	TRANS DATE: 01/03/2013	

10.	SZANTO VICTOR & EVYE	1351 PATRICIA DR	GARDNERVILLE NV	DOUGLAS	TRANS DATE: 07/01/2011	
11.	SZANTO VICTOR & EVYE LIVING TRUST	500 JEANELL DR	CARSON CITY NV	CARSON CITY	TRANS DATE: 11/06/2012	
12.	SZANTO VICTOR & EVYE TRUST	1191 RABE WAY	CARSON CITY NV	CARSON CITY	TRANS DATE: 06/13/2012	
13.	SZANTO VICTOR & EVYE TRUST	1665 WENDY LN	CARSON CITY NV	CARSON CITY	TRANS DATE: 05/07/2013	SUBDIVISION/NEW CONSTRUCTION
14.	SZANTO VICTOR & EVYE TRUST	1411 MARLETTE CIR	GARDNERVILLE NV	DOUGLAS	TRANS DATE: 10/14/2011	
15.	SZANTO VICTOR & EVYE TRUST	611 VICTORIA CT	GARDNERVILLE NV	DOUGLAS	TRANS DATE: 10/19/2011	
16.	SZANTO VICTOR & EVYE TRUST	1408 MARY JO DR	GARDNERVILLE NV	DOUGLAS	TRANS DATE: 10/24/2011	
17.	SZANTO VICTOR & EVYE	724 LONG VALLEY	GARDNERVILLE NV	DOUGLAS	TRANS DATE: 12/02/2011	

	TRUST	RD				
18.	SZANTO VICTOR & EVYE TRUST	1728 US HIGHWAY 50	GLENBROOK NV	DOUGLAS	TRANS DATE: 09/27/2010	
19.	SZANTO VICTOR & EVYE TRUST	1728 US HIGHWAY 50	GLENBROOK NV	DOUGLAS	TRANS DATE: 07/18/2011	
20.	SZANTO VICTOR & EVYE TRUST	167 MEADOW LN	NV	DOUGLAS	TAX YR: 2012	
21.	SZANTO VICTOR & EVYE TRUST	1728 US HIGHWAY 50	NV	DOUGLAS	TRANS DATE: 08/16/2010	
22.	SZANTO VICTOR & EVYE TRUST	1728 US HIGHWAY 50	NV	DOUGLAS	TRANS DATE: 03/05/2012	
23.	SZANTO VICTOR & EVYE TRUST	1355 CORDONE AVE	RENO NV	WASHOE	TRANS DATE: 03/26/2012	SUBDIVISION/NEW CONSTRUCTION
24.	SZANTO VICTOR & EVYE TRUST	1355 CORDONE AVE	RENO NV	WASHOE	TRANS DATE: 03/26/2012	SUBDIVISION/NEW CONSTRUCTION
25.	SZANTO VICTOR	1355 CORDONE	RENO NV	WASHOE	TRANS DATE:	SUBDIVISION/NEW CONSTRUCTION

	& EVYE TRUST	AVE			03/26/2012	
26.	**SZANTO VICTOR** & EVYE TRUST	1355 CORDONE AVE	RENO NV	WASHOE	TRANS DATE: 03/26/2012	SUBDIVISION/NEW CONSTRUCTION
27.	**SZANTO VICTOR** & EYVE TRUST	1147 JACOBS WAY	CARSON CITY NV	CARSON CITY	TRANS DATE: 02/26/2013	
28.	**SZANTO VICTOR** (TE)	611 VICTORIA CT	GARDNERVILLE NV	DOUGLAS	TAX YR: 2012	
29.	**SZANTO VICTOR** (TE)	1351 PATRICIA DR	GARDNERVILLE NV	DOUGLAS	TAX YR: 2012	
30.	**SZANTO VICTOR** (TE)	724 LONG VALLEY RD	GARDNERVILLE NV	DOUGLAS	TAX YR: 2012	
31.	**SZANTO VICTOR** (TE)	1411 MARLETTE CIR	GARDNERVILLE NV	DOUGLAS	TAX YR: 2012	
32.	**SZANTO VICTOR** (TE)	1408 MARY JO DR	GARDNERVILLE NV	DOUGLAS	TAX YR: 2012	
33.	**SZANTO VICTOR** (TE)	1728 US HIGHWAY 50	GLENBROOK NV	DOUGLAS	TAX YR: 2012	
34.	**SZANTO VICTOR**	314 PAIUTE	NV	DOUGLAS	TAX YR:	

	(TE)	DR			2012
35.	**SZANTO** VICTORE & EVYE TRUST	1351 PATRICIA DR	GARDNERVILLE NV	DOUGLAS	TRANS DATE: 10/19/2011